

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARK APPELGREN, Pro Se

Plaintiff,

v.

CITY OF FORT LEE et al.,

Defendants.

No. 2:24 – CV – 08013 – MCA – MAH

CIVIL ACTION

**MOTION TO WITHDRAW [ECF
Nos. 19, 20, and 23] AND NOTICE
OF SERVICE**

DATED: December 5, 2024

TO THE HONORABLE JUDGE MICHAEL A. HAMMER:

Plaintiff Mark Appelgren, Pro Se, respectfully moves this Honorable Court for permission to withdraw [ECF Nos. 19, 20, and 23], previously filed as motions and briefs in opposition to Defendant's Motion to Dismiss Plaintiff's Amended Complaint. In support of this motion, Plaintiff states as follows:

1. Reason for Withdrawal

Plaintiff seeks to withdraw the following docket entries to ensure compliance with the Court's directives as outlined in [ECF No. 22]:

- [ECF No. 19]: This filing, submitted electronically, was flagged by the Clerk's Quality Control Message dated November 13, 2024, as incomplete and not containing the required wet ink signature.
- [ECF No. 20]: This submission, mailed to address the deficiencies in [ECF No. 19], also failed to meet the Court's requirements.

- [ECF No. 23]: While this submission, mailed shortly after the preparation of the brief, included the required wet ink signature, it does not fully comply with the Court's directives for formatting and clarity as outlined in [ECF No. 22].

Plaintiff acknowledges that these filings, though made in good faith, do not satisfy the procedural requirements and wishes to withdraw them to avoid confusion in the docket.

2. Replacement Filing

Plaintiff has prepared a revised Brief in Opposition to Defendant's Motion to Dismiss Plaintiff's Amended Complaint [ECF No. 18], dated December 1, 2024. This revised submission fully complies with the Court's directives and includes:

- Proper formatting and organization.
- A physical (wet ink) signature as required.
- All referenced exhibits (A through H).

3. Notice of Service and Mailing

- To the Court:

Due to the size of the revised brief and exhibits, Plaintiff informs the Court that the filing cannot be uploaded electronically. Therefore, a hard copy of the revised filing is being mailed via priority mail today to ensure compliance with the December 6, 2024, deadline. Plaintiff affirms that the package has been mailed in good faith and that the Court will receive it shortly.

- To Defendants' Counsel:

Plaintiff has provided Defendants' Counsel of Record with an electronic copy of the revised filing. Additionally, Plaintiff is mailing a hard copy of the revised submission via priority mail to

Defendants' attorneys today to ensure their receipt of the full filing in compliance with the Court's directives.

4. Apology and Request for Leniency

Plaintiff sincerely apologizes for any confusion or inconvenience caused by the prior filings. As a Pro Se litigant, Plaintiff requests the Court's understanding and patience and assures the Court that all efforts have been made to fully comply with its directives moving forward.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant permission to withdraw [ECF Nos. 19, 20, and 23] and accept the revised submission, dated December 1, 2024, as a replacement.

Dated: December 5, 2024

Respectfully,



/s/ Mark Appelgren

Mark Appelgren, Plaintiff, Pro Se

3718 Columbia Pike, Apt. 2

Arlington, VA 22204

201-232-1441

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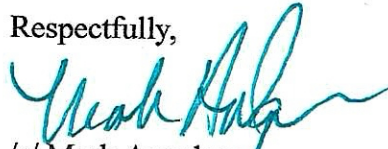
DATED: December 5, 2024

CERTIFICATE OF SERVICE

I, Mark Appelgren, hereby certify that a true and correct copy of the Motion to Withdraw [ECF Nos. 19, 20, and 23] was provided to Defendants' Counsel of Record on this 5th day of December 2024, via certified mail and Transmission of Notices of Electronic Filing granted by CM/ECF. Additionally, a copy of this document was filed via electronic mail to ecfhelp@njd.uscourts.gov.

Dated: December 5, 2024

Respectfully,



/s/ Mark Appelgren

Mark Appelgren, Plaintiff, Pro Se

3718 Columbia Pike, Apt. 2

Arlington, VA 22204

201-232-1441

Mark.Appelgren0701@yahoo.com

CC: Counsel of Record